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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,626	03/08/2001	Hubrecht Lambertus Tjalling De Blik	PHNL 000130	8314

24737 7590 09/03/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/801,626

Applicant(s)

DE BLIEK ET AL.

Examiner

Dennis G Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: Section headings seem to have been omitted leaving spaces in their absence.

Appropriate correction is required.

2. Claims 6 and 7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

3. Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Any reference to a parent claim must precede the body of the child claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Roewer, Patent # 5,734,915.

6. With regard to claim 1, which teaches an interface for processing and presenting image data, Roewer teaches, in column 4, line 33 and column 4, line 46, providing a GUI for medical imagery in which all necessary information is visible. With regard to claim 1 further teaching arrangement to co-operate with a database for obtaining image data, Roewer teaches, in column 8, line 66, an operator loading a patients image data from a local database. With regard to claim 1 further teaching a visual display unit, Roewer teaches, in column 4, line 48, displaying the images on a workstation. With regard to claim 1 further teaching an input member, Roewer teaches in column 4, line 59, input via a mouse, hot keys, and other input devices. With regard to claim 1 that further teaches display groups of image data on the display, Roewer teaches, in column 13, line 35-40 in conjunction with figures 4 a-c; a multiplicity of frames being displayed a once.

7. With regard to claim 2, which teaches image data combined with attribute data and that characterizes a patient or relevant image data, and that the characterized interface selects feasible applications for each group and separately adds a reference to each that was characterized the same, Roewer teaches, in column 5, line 42, that images, text and graphics items can be sent to a storage device for later retrieval. In column 19, lines 52-60 and column 20, line 48, Roewer teaches that his text templates contain modality (form defining) information concerning the attributes of the source modality that produced the medical image, and other physical or technical attributes of the image. Roewer goes on to teach that these text templates can be referenced by ID numbers, which index to where it is stored.

8. With regard to claim 3, which teaches that the user interface is arranged to add or remove an application selected by a user or from an image selection, Roewer teaches, in column 14, lines 20-30, that there are provide image tools to directly manipulate an image, and that an operator can temporarily hide text, drawing lines, or symbols placed on the screen.

9. With regard to claim 4, which teaches displaying feasible applications on the display unit, Roewer teaches, in column 19, lines 52-60 and column 20, lines 48-53, that his text templates contain modality (form defining) information concerning the attributes of the source modality that produced the medical image, and other physical or technical attributes of the image. With regard to claim 4, which further teaches after selection of an application by the user, the interface performs selection of every one in that group, Roewer teaches, in column 9, lines 45-48, the operator opening a patient's window where he can specify all the patient's images to be displayed. With regard to claim 4, which further teaches presenting only the image selections that characterize the image data to the display, Roewer states, in column 11, lines 45-49, that the GUI provides a dialogue box which steps through a patient hierarchy (patient-study-series-acquisition-images) to select patient image data.

10. With regard to claim 5, which teaches that the interface shows feasible sub-functions for each application and that each of these sub-functions can be individually selected by a user, Roewer teaches, in column 4, line 46 and column 6, lines 7-14, that there are window oriented commands organized by type of action (application), and that

the user can step from presenting a set of graphical interface commands at a workstation to actually manipulating the image display in response to the commands.

**Conclusion**


11. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach an interface for the processing and presentation of image data.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

14. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dgb  
August 25, 2003



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173